

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
SOUTHEASTERN DIVISION

UNITED STATES OF AMERICA, )  
                                )  
Plaintiff,                 )  
                                )  
v.                             )              Case Nos. 1:20 MJ 4087 ACCL  
                                )  
NICHOLAS J. PROFFITT,     )  
                                )  
Defendant.                 )

**ORDER REGARDING WAIVER OF DETENTION HEARING**

On April 29, 2020, the Defendant was arrested on a Criminal Complaint that was issued by the undersigned on April 28, 2020. He appeared before the undersigned for an initial appearance on April 30, 2020 by videoconference following the issuance of a Writ Ad Prosequendum.

The Defendant waived his right to a detention hearing and consented to remain in custody during the pendency of his case. Based on the defendant's waiver of the right to a detention hearing, the undersigned finds pursuant to the Bail Reform Act, 18 U.S.C. § 3142, that the Defendant failed to establish a preponderance of the evidence that he will not flee and failed to establish clear and convincing evidence that his release would not pose a danger to any other person or to the community.

The Defendant requested that a preliminary hearing be held on the pending Complaint. Accordingly,

**IT IS HEREBY ORDERED** that the Defendant be detained while this case is pending.

**IT IS FURTHER ORDERED** that the case is set for preliminary hearing on Thursday, May 14, 2020 at 1:30 p.m., before the Honorable Abbie Crites-Leoni.

**IT IS FURTHER ORDERED** that the Defendant is committed to the custody of the Attorney General or a designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or held in custody pending appeal. The Defendant must be afforded a reasonable opportunity to consult privately with defense counsel. On order of United States Court or on request of an attorney for the Government, the person in charge of the corrections facility must deliver the Defendant to the United States Marshal for the purpose of appearances in Court in connection with future proceedings scheduled in this case.



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ABBIE CRITES-LEONI  
UNITED STATES MAGISTRATE JUDGE

Dated this 30<sup>th</sup> day of April, 2020.